

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Alton Dewayne Starkie

Docket No. 4:08-CR-74-1BO

Petition for Action on Supervised Release

COMES NOW Tuell Waters, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Alton Dewayne Starkie, who, upon an earlier plea of guilty to Conspiracy to Possess With Intent to Distribute More Than 50 Grams of Cocaine Base (Crack) and a Quantity of Heroin in violation of 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on July 29, 2009, to the custody of the Bureau of Prisons for a term of 144 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On January 30, 2015, an order was filed reducing the defendant's sentence to 90 months pursuant to Rule 35 of the Federal Rules of Criminal Procedure.

Alton Dewayne Starkie was released from custody on June 22, 2015, at which time the term of supervised release commenced. On September 21, 2015, the defendant was charged with Driving While License Revoked in Wake County, North Carolina. Subsequently, a violation report was submitted to the court with no further action taken.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 8, 2018, the defendant submitted a urine specimen subsequently determined by the national laboratory to be positive for cocaine use. When confronted with the results, Starkie readily admitted to using cocaine and agreed to the modifications of supervision listed below. The defendant provided a written admission of drug use and signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.
3. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
4. The defendant shall consent to a warrantless search by a United States probation officer or, at the request of the probation officer, any other law enforcement officer, of his/her, person and premises, including any vehicle, to determine compliance with the conditions, of this judgment.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Tuell Waters
Tuell Waters
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2344
Executed On: January 17, 2018

ORDER OF THE COURT

Considered and ordered this 18 day of January, 2018, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge